IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10578 of 2004

Between:

G. Saiprasad S/o late Narsimulu, H. No.8-5-60, Sainagar, Vemulawada, Karimnagar District, Presently R/o 3-1-5/2, Plot No. 6, Shivapuri Colony, L.B. Nagar, Hyderabad

..... PETITIONER

AND

1 The District Panchayat Officer, Karimnagar
2 The Grampanchayat, Vemulawada, rep. by its Panchayat Secretary, Vemulawada, Karimnagar District
3 Kasanagottu Gouraiah, S/o Lingaiah, R/o Cloth Shop, Opp. to RTC Bus stand, Sirisilla, Karimnagar district.
4 Sri Namala Babu, S/o Ravi, R/o Ravi Hotel, Opp. Old MRO Office, Vemulawada, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably Writ of mandamus declaring the inaction of the respondents 1 & 2 in taking appropriate action for removal of un-authorised construction on the PWD road leads from Vemulawada to Korutla of Karimnagar District (towards northern side of petitioner's plot in sy. No. 1552) situated at Vemulavada, (V&M) Karimnagar District, despite representation dt 18-6-2004 and consequential letter issued by 1st respondent vide Lr. No. A7/2619/2004-Pts. dt 18-6-2004 as illegal and arbitrary, and consequently direct the respondents 1 and 2 to take immediate action for removal of un-authorised constructions on the public old road.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR,Advocate

Counsel for the Respondent No.1: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.2: Jyothi Eswar Gogineni, S.C.

The Court at the admission stage made the following :
ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Panchayat Raj and Rural Development, and the learned Standing Counsel for the second respondent-Gram Panchayat and with their consent, the writ petition itself is taken up for final disposal at the admission stage.

In this writ petition the petitioner seeks a direction to respondents 1 and 2 to take appropriate action for removal of unauthorized constructions on the Public Works Department (PWD) road leading from Vemulawada to Korutla of Karimnagar District towards Northern side of petitioner's plot in survey No.1552 of Vemulawada village.

According to the petitioner, he submitted a representation dated 18-6-2004 to the first respondent with a copy marked to the second respondent seeking removal of the constructions made by respondents 3 and 4 on the PWD road leading from Vemulawada to Korutla, towards Northern side of the plots of the petitioner, encroaching into the old road, thereby affecting the passage of the petitioner. Assailing the inaction of respondents 1 and 2 in taking steps for removal of the constructions, the present writ petition is filed.

It seems, without giving sufficient time to the official respondents to act on the representation submitted by the petitioner, the petitioner rushed to the court. However, having regard to the facts and circumstances of the case, I deem it appropriate to direct

the first respondent-District Panchayat Officer, Karimnagar to consider and dispose of the representation submitted by the petitioner, dated 18-6-2004, expeditiously.

The writ petition is accordingly disposed of. No costs.

_____

N.V. RAMANA, J

Date: 25-6-2004

SVV

To
1 The District Panchayat Officer, Karimnagar
2 The Panchayat Secretary, Grampanchayat, Vemulawada, Karimnagar District
3 Two C.Cs to GP for Panchayat Raj & Rural Development, High Court
buildings, Hyderabad.(OUT)
4 Two CD copies